

Scots Presbyterian Justice

EXEMPLIFYED, IN THE

C A S E O F

Mr. *Will. Dugud*,

Who lately was forc'd to fly to *England* from their Persecution in *Scotland*, for having accepted of a Presentation from her Majesty to the Parish Church of *Bruntisland*, being a full Vindication of him from the malicious Accusations of their Kirk Judicatories.

I N A L E T T E R

From himself to a Friend of his in *Scotland*.

Acts xxv. 7, 8, 11. And when he was come, the Jews which came down from *Hierusalem*, stood round about, and laid many and grievous complaints against Paul which they could not prove, while he answered for himself, neither against the law of the Jews, neither against the Temple, nor yet against *Cesar*, have I offended any thing at all. For if I be an offender, or have committed any thing worthy of death, I refuse not to die: but if there be none of these things whereof these accuse me, no man may deliver me unto them. I appeal unto *Cesar*.

London, Printed by W. R. and Sold by John Morphew near Stationers Hall. 1714.



Scots Presbyterian Justice exemplified, &c.

Sir,

I Received yours, wherein you inform me, that my Absence hath not abated, but rather height'ned the Malice and Calumnies of my unrelenting Enemies; and particularly, that the *Synod of Fife* hath ordered that the *Libels* they raised and moved against me, should be read from all their *Pulpits*, which you tell me has been done. I am not at all surprized at their Unjust and Antichristian procedure; since 'tis well known the R. R. the *Bishops*, and their *Clergy*, met with no better Treatment from them in the Year 1638, nor the Episcopal Ministers since the Revolution. But I am far from putting my self on a level with the least and meanest of those worthy Men; my design at present being only to inform you, and my other Friends at *Edinburgh*, how groundless and malicious

A 2

their

their Calumnies are, and with how little reason or justice they have proceeded against me.

To set this Matter in a clear light, I beg leave first to give you a short Abstract of *Matters of Fact*, and then shall, I hope, to your or any unbyassed Persons satisfaction vindicate my self from their unjust and unsubscribed Libels raised against me.

First then, to give you a short account of the Facts be pleased to know, that after I had finished the Course of my Studies at the *Universities*, I got ample Testificates and Recommendations from the *Professors* of *Divinity*, both of *Aberdeen* and *Edinburgh*, and even from the *Presbytery* of *Edinburgh* to the *Presbytery* of *Kirkcaldy*; upon which I was licensed by them in *July 1710*, and by appointment of the said *Presbytery* did Preach in the Church of *Bruntisland* then vacant. The *Magistrates*, *Heritors* and *Lay-elders* of that Town and Parish, were pleased to come to a Resolution to call me to be their Minister, and for that end appointed their *Commissioners* to the *Presbytery*, for moderating a Call, as they speak, with which the *Presbytery* complied in *January 1712*, at which time I was chosen by a Plurality, and a Call signed in my Favour, by all then present,
except

except a few, who were prevail'd upon by the Presbytery to sign another Call for one Mr. *Erskén* Preacher at *Portmogue*.

These few consisted chiefly of Six or Seven *Lay-elders*, and such you know are easily influenced on all occasions by the *Presbytery* to defeat the Designs of the *Gentry*, and to continue themselves *Patrons* of all the *Churches* within their Bounds ; and to give full satisfaction to the Presbytery of the Inclinations of the People ; the Call I had was supported by the Consent of the Heads of almost all the Families, both in Town and the adjacent Country, and signed by them. But this so unanimous Call being more popular than agreeable to the Presbytery, was by their arbitrary Vote laid aside, before either the Merits thereof were taken into consideration, or any Reasons given for rejecting the same, as will appear by the state of the Vote ; namely, *consider the Affair or lay aside both Calls* ; that is, Mr. *Erskens* and mine, and it was carry'd by plurality of Votes, *lay aside both Calls* ; which plainly shews, that the Presbytery did proceed without examining or entering upon the Merits of the Affair, which obliged these Holy Brethren on second thoughts to alter their own Minutes. The Gentlemen of *Bruntisland* judging themselves

injured by such an arbitrary procedure did appeal to the *Synod of Fife* ; who in regard the Presbytery pretended the Reasons were not signed in due time, *affirmed* the *Presbyteries Sentence*, tho' this was plainly an omission, if not a contrivance, of their own Clerk ; The *Commissioners* from *Bruntisland*, having in presence of the *Synod*, offered to sign their Appeal and the Reasons thereof, which was not allowed them as the *Minutes* of the *Synod* do vouch.

This hard Treatment obliged these Commissioners to appeal from this *Synod* to the *General Assembly*. In the mean time the *Presbytery* continued very busy, using all their endeavours to make the Gentlemen pass from their *Appeal*, and to give me up, and to compass their Design, they privately loaded me with all the bad *Characters* their *Malice* could invent, tho' till then, they were pleased to own a good enough Opinion of me, and none was more violent in calling me Names than Mr. *Pitcairn* at *Dysart*, who till then had made great professions of Friendship to me, and employed me frequently to Preach for him : To confirm these Aspersions he wrote a Letter, Num. 1. in the Appendix to Mr. *Mackenzie* of *Rosend*, wherein he desires to meet with, and convince him to let the
Appeal

Appeal fall, otherways he would be obliged to discover things which would vindicate the Presbyteries Conduct, tho' to the ruin of the poor Young Gentleman, meaning me; Mr. *Mackenzie* returned him an Answer, wherein he signify'd his willingness to wait upon him at *Kinghorn*, the Place appointed to know what he meant by these Insinuations against me: But instead of coming thither, or naming any particulars, he fail'd to meet Mr. *Mackenzie* contrary to his own Promise and earnest Request. When the Presbytery found that the Gentlemen could not be prevailed with to pass from their *Appeal*, their next recourse was more open and bare-faced; for they threatned to Ruin me to all Intents and Purposes, if I did not desert my Friends. I told them, that I could neither in Honour nor Conscience forsake them then, since they had been at so much Trouble and Pains about me, but would rather take my chance at the *General Assembly*; neither did I fear their Threatnings, being conscious of my own Innocency. Then the *Presbytery* and *Synod* united their Forces to get the *Assembly* brought over to their measures, for which end they went on to reproach me privately, without Evidence, a Practice of which, I wish they were not so often Guilty, buzzing

about among their *Brethren* some idle Stories without any Foundation, which with them is Equivalent to substantial Proof, before any other *Judicatory*.

By this means the *Assembly*, being preposessed, were easily induced to refer the matter to their *Commission*, without considering further the merits of the Cause; for which procedure their pretended Reasons were these: That several Ministers could inform of things against me, which were not fit to be tabled in open *Assembly*, these their Whisperings came to my Ears, and as Innocence makes a Man Bold and Resolute in any just Action of his Life, especially in vindication of his Reputation, I did then openly appear for my self, and presented a Petition to the *Assembly*, importing that no regard ought to be had to these groundless Surmises industriously raised and propagated against me, unless an Accuser appeared and offered to prove his Libel. On this occasion, 'tis observable, that Mr. *Flint*, Moderator of the Committee for *Bills*, said that Mr. *Pitcairn* of *Dysart* had suggested to the *Committee*, that he could prove several unbecoming things against me, Mr. *Pitcairn* answered he had said no such thing; Mr. *Flint* replied, Brother, I thought you did, and thereafter he was seconded by

an

an other Member, but Mr. *Pitcairn* stood to the denial, and made a long harangue in my favour, and the regard he always had for me, expressing at the same time his regret for the wrong Notions some were pleased to entertain of me, which he believed were groundless and calumnious ; thus the matter dropt, none appearing to own these clandestine Insinuations ; so the *Assembly* resolved, that in regard they had not time to enter on the Merits of the Cause, to refer the same to their *Commission*, with this particular Instruction, that no regard should be had to private surmises against me ; unless an Accuser appeared, offering to prove his Libel ; and the *Commission* finding none to accuse, or prove any thing against me, declared, that my Innocency should be intimated to the next *General Assembly*. Nevertheless, they were influenced to approve of what the *Synod* had done, as to the laying aside of my Call ; but with this remarkable *Proviso*, that it was laid aside without respect to what was suggested against me, as appears from their *Minutes* the 17. of *May* 1712. Here you see the sinisterous Methods and the Equivocations which they made use of to disappoint the Gentry and People of *Bruntisland* in their prosecuting of a then legal

legal Call, who are like to be forced to rest contented, after having spent their time and pains to no purpose, besides a great expence and trouble in running the tedious course of all their *Kirk Judicatories*, to have at last one obtruded upon them by the *Presbytery*, contrary to the *Inclinations of the People*, which was once the *fundamental Charter of Presbytery*, and my Life, which, I thank God, was till then unblemished, was brought into question by them, because I would not desert my Friends; For tho' they could make nothing appear against me; yet the *Presbyteries, Synods, Assembly*, and their *Commissions* very well know, that such secret *Detractions* answered their Designs, for *calumniare audacter aliquid adhibebit* is one of their darling Maxims.

After the Commission was Dissolved, I came to the *Presbytery of Kirkcaldy* in order to get my Testimonials, the *Presbytery* according to the verbal recommendation given them by the *Commission*, did appoint two of their number to enquire at Mr. *Hay* of *Naughteen* and others, who were said to know some thing that was amiss of me, and after a full Inquisition into Surmises against me, gave me a very ample Testificate, the Tenor whereof followeth.

“ These

[II]

“ These do Testify to all Presbyteries
 “ whom it may concern, that Mr. *William*
 “ *Dugud* Preacher of the Gospel hath be-
 “ haved christianly, soberly, and agreea-
 “ ably to his Character within the bounds
 “ of this Presbitery of *Kirkcalday* since he
 “ was licensed by us to Preach the Gospel,
 “ wherefore we know nothing that may
 “ justly hinder the said Mr. *Dugud*’s incou-
 “ ragement by any Presbytery wherein Pro-
 “ vidence his lot may happen, in Testi-
 “ mony whereof these Presents are written
 “ at *Linktoun* of *Abbots Hall* the 11 Day
 “ of *September* 1712. and in name, and at
 “ the appointment of the said Presbytery, is
 “ Subscribed by their Moderator and Clark
 James Dickson, Moderator.
 Thomas Russel, Clark.

After this I continued to Preach by their
 appointment, in several Churches within
 the bounds of their Presbytry till *Novemb.*
 following, when I was honoured with her
Majesty’s Presentation to the Cure of *Brun-*
tisland, procured by a Letter written by the
 Gentlemen of the Parish, in conjunction
 with the *Magistrates* and *Common Council*
 of the Burgh of *Bruntisland* to my Lord
Lyon, Member of Parliament for the Shire
 of

of *Fife*, which Presentation was intimated to the *Moderator* of the *Presbytery* on the 21 of *November*, 1712.

It would but tire out your Patience should I enter into a detail of all the Shifts and Evasions by which the *Presbytery* endeavoured to elude her Majesty's Presentation, and all the *Protestations* that were taken *Pro* and *Con* on that account ; I shall only here give you a short Abstract of Matters of Fact, whereby you may see their manifest Contempt of her Majesty's Authority, and that all the Persecution I have met with since *Patrons* were restored to their just Rights, are owing intirely to my firm Adherence to her Majesty's Presentation. On the 27 of *November* the *Presbytery* met at *Dysart*, where Mr. *Dury* of *Grange* and *Alexander Anderson* one of the present Magistrates accompanied me, and presented her Majesty's Gift and Presentation to the *Presbytery*, together with a Declaration of Adherence thereto from the Magistrates, Heritors, and almost all the Heads of the Families of *Bruntsland* Parish, but they refused to sustain, read or record the same in their Books, upon which Bailly *Anderson* took Instruments in the Hands of a Publick Notary, notwithstanding, at the earnest desire of the Parishioners,

tioners, they appointed me from time to time to Preach in the Church of *Bruntisland*. On the 25 of *December* the *Presbytery* met again, and then referred my Affair to the *Synod of Fife*, but in the mean time, to enquire me by a previous Discourse, they prescribed me a *Theam de Jure Patronatûs in Ecclesia Dei*. Proposing thereby to bring me into an inevitable Lock, for if I approved of *Patronages*, it was contrary to their *Principles*, and if not, it was contradictory to my own *Practice* in accepting her Majesty's *Presentation*. This Discourse was not given me in order to Admission, that having been referred to the *Synod*, but meerly with design to ruin me. On the 29 of *January* following 1713, I delivered my Discourse, wherein I proved *Patronages* to be *Lawful jure humano* from the *Canons of Oecumenical Councils*, the *Writings of the Primitive Fathers*, and *Bishops of the Church*, and the *Laws and Constitutions of Christian Princes*. The Brethren consulted till late at Night, whether they should condemn or approve my Discourse, and at last I was called in, and told they delay'd the approving of my Discourse, till such time as I should satisfy them in my *extemporary Trials* concerning that matter. But some of the Brethren told me

me roundly in private, that if I did not satisfy them that I believed in my Conscience *Patronages* were a sinful *Institution*, contrary to the *Word of God*, and *Inconsistent* with the *Evangelical* way of electing and choosing Ministers, they could not Ordain me: I told them I had delivered my *Minuten* on that Subject in my Discourse and would add no farther, and since that time I have Printed the Exegesis for my Vindication. After this Mr. *Oswald* of *Dunnekie* Younger one of the *Heritors* of *Bruntisland*, craved that in regard her Majesty's *Presentation* was not Read when first tabled before the Presbytery, it might be publickly Read, and marked in their Minutes, the Presbytery answered that the *Presentation* was formerly Read, Mr. *Oswald* appealed to their Minutes, and Protestations taken against them for refusing it, which so disturbed the Brethren, that they desired the Gentlemen to remove, to the end they might consider whether they should read her Majesty's *Presentation* or not, after two Hours attendance they were called in, and told by their Moderator, they judged the reading of the *Presentation* no Homologation, as they speak, or Approbation of *Patronages*, so it was Read, and marked with that Gloss. But it was observed, that tho' they

they did condescend to read the Queen's *Presentation*, yet to shew their dislike of it, and their contempt of her Majesty's Authority, none of them were so mannerly as to rise from their Seats, or to uncover their Heads at the reading thereof, which was ever the custom in such Cases. On the 26 of *February* 1713, the *Presbytery* met at *Kirkcalday*, where I Preach'd before them on a Text appointed by themselves, *Rom. chap. 11. 3.* with which Discourse they declared themselves satisfied. But understanding that I, or some of my Friends, had payed the dues of getting my *Presentation* to pass the *Seals*, they endeavoured to make this a Handle by which to defeat the same, calling it *Simony*, tho' by the same reason, they might have charged me for paying their own Clark, for the Extracts of my License and Testimonial; however, they demurred on this and would not order me a new Trial, then Mr. *Oswald* protested, that the *Presbyterys* delaying to order further Trials to me, was meer Shifts and Evasions, and appealed to the Queen and Parliament for Relief, and I appealed to the *Synod of Fife*, which was to meet at *Dumfermling* the 7 of *April* following. Accordingly when with much difficulty I got my Business moved before the *Synod*, they

they called for the Presbytery Books of *Kirkcaldy*, and censured that Presbytery for giving me such ample Testimonials as they found Recorded there, and declared the same to be Void and Null, the Presbytery thanked the *Moderator* of the *Synod* for the Justice was done them. The *Synod* in the mean time laid aside the *Presbyteries* Reference, in relation to my Admission on her *Majestys* *Presentation*, and rejected my Appeal, and appointed a *Committee* to sit *de die in diem* to inquire into, and make trial of Scandals against me, tho' no Accusers appeared. I perceived immediately how they play'd to one and others Hands, and so I protested and appealed to the *General Assembly* for the *Synods* slighting the *Queens* *Presentation*, by neglecting to consider my *Appeal*, but instead thereof, appointing an illegal and irregular *Committee* to take trial of Suggestions, from which I had already been acquitted by the *General Assembly*, and *Presbytery* of *Kirkcaldy*, especially when no Accuser appeared to give in either Libel or Information against me; and in the mean time the *Commissioners* from *Bruntisland* appealed to the *Queen* and *Parliament*.

When my Appeal was brought in before the *Assembly*, they without considering any

of the reasons of it did remit the same to their *Commission*, to try and proceed in the same as they found Cause. When the *Moderator* intimated this Sentence to me, I told them that I had been twice already before all their *Kirk Judicatories*, so I desired that the *Assembly* might now judge in my Affair, since I humbly conceived the remitting of me to their *Commission* was Illegal, seeing they were only a *Committee* of the *Assembly* which had no *Foundation* in *Law*, nor could it *Subsist* to determine in any Matter after the *Assembly* was *Adjourned*, and consequently was a handle only by which to delay me; therefore I protested and appealed from the *General Assembly* to the *Queen* and *Parliament* for Relief in *Law*.

Immediately thereafter I went to *Bruntisland* to Preach as I had been in use to do, it having been part of my Protestation, that I should continue Preaching there, until my Appeal was discussed. I was no sooner gone, but the *Assembly* declared my Licence void and null, for no other reason but for protesting against them, and appealing to the *Queen* and *Parliament* for Relief in *Law*, tho' I was never cited nor had occasion to answer for my self.

From what has been said, it's obvious to

any considering Person, that the Act restoring the right of Patronage, needs to be more enlarged and explain'd, and farther Provision made in several Cases, which do happen, if so the *Legislature* shall think fit. For instance, when any *Presbytery* takes upon it to refuse Admission to any legally qualified Person, regularly presented unto them; for if *Presbyteries*, *Synods* and *General Assemblies* be the ultimate Judges of *Presentations*, what must become of such Candidates as are not promoted by them. For let a true blue Cobler insinuate to the Brethren, that the Candidate is not a good, or well gifted Man, is not sound or savory, as they term it, this is amongst them thought proof enough of his Insufficiency, without further evidence; or if there be any malignancy in his Blood, that is, if his Father, Mother, Grand-father or Grand-mother, &c. were esteemed Malignants, they'll easily get some of the Brethren to declare, they believe he is not fit for the *Ministry*, or that he is *Hetodox* in his Opinions; and so without condescending upon, or proving any particulars, by this Method and Cant, he is rejected, and his Reputation blasted amongst the People, he himself and his Patron, after a Year's running about all their *Kirk Judicatories* tyred out, or perhaps
for

for some pretended Miscarriage alledged to be committed in his Childhood laid aside ; or if they admit him to Tryals, they will give him some controverted Theam in order to ensnare him, wherein he must probably either interfere with their Principles, or with the *Laws* of the Land. To be sure, if he speaks for the *Laws*, he is Cast, but if against them, he is the better liked. This Dilemma was put to me in the Subject they assign'd me for my *Exegesis* ; and because I did not exclaim against the Act of *Parliament* restoring *Patronages*, they did not approve of my Discourse, which must be purely on that account, since they made no other objection against it. They one day gave me ample *Testimonials*, that I had behaved myself Christianly, Soberly and Agreeably to my Character, ever since I was licenced by them, and that they knew nothing to hinder or obstruct my encouragement to be a *Minister*, where in Providence my Lot might fall ; and yet those very Men in a few days thereafter, when I produced Her *Majesty's* *Presentation*, immediately changed their Countenance, and gave me all the Trouble and Uneasiness their Malice could contrive, as you shall further see in the Sequel of this Letter ; For taking away my Licence did

not satisfy their Malice, but the forementioned *Committee* of the *Synod of Fife*, notwithstanding my Appeal to the *Assembly*, and the same then acquiesced in by the *Synod* and their *Committee*, about a Month after the *Assembly* was adjourned, did cite me to appear before them upon the 1 of *July* 1713, which leads me naturally to.

The Second thing I promised, namely, to vindicate my self from the pretended Calumnious *Libels* moved and raised against me by the *Synod of Fife* and their *Committee*, which they have caused to be read from their several *Pulpits*.

I was much obliged to you for sending me a Copy of the *Synod's* Sentence, which I communicated to a Gentleman of my Acquaintance; and he after perusal of it made this Reflection, that he did not believe the greatest proficients in Non-sense, even the *Synod of Fife* themselves not excepted, could contain within the compass of a Sheet and Half of Paper, so many Contradictions, Solicisms, and Blunders, as fill up that Paper, read from their several *Pulpits* against me; which if Printed, would sufficiently prove their Malice, and vindicate my Innocency.

But that I may set this Vindication of mine in a true light, I shall first prove to the Con-

viction

violation of all that the Synod's method of procedure against me, has been contrary to all our *Laws*, and even their own known *Forms*. Secondly, That all the Witnesses who seem to depose to my Disadvantage, are either my declared Enemies, or under some other legal incapacity. Thirdly, For further Satisfaction, I shall give distinct answers to every Article in the pretended Libels.

The *Synod's* method of procedure hath been contrary to all our *Laws*, and even to their own known *Forms* in regard

1st, That they passed by the consideration of my Appeal to them, from the *Presbytery* of *Kirkcaldy*, in relation to my Admission on her Majesty's *Presentation*, and censured that *Presbytery* for giving me a *Testimonial*; tho' the same was warranted by the Orders of the preceeding *Assembly*, whose Sentence, tho' they were an inferior Court, they took upon them to rescind.

2dly, The *Synod* did appoint a *Committee* of their own number, contrary to all Rules, to sit *de die in diem*, to procure what Scandals against me they could, tho' no Accuser appeared, nor was any Libel produced, either then, or to this day, but what they themselves Invented and Promoted, terming it a *fama clamosa*; for none of them would be

prevailed upon to subscribe the Libel as an Accuser, so that in direct opposition to the Act of the *Assembly* in my favour, my *Accusers* became my *Judges*.

3dly, Notwithstanding I had Appealed from the *Synod*, and their *Committee* to the *General Assembly*, and that the Appeal was accordingly tabled before the *Assembly* in *May 1713*, yet after the *Assembly* was adjourned, the forementioned *Committee* cited me to Appear before them in *July* thereafter, when we were become stated Parties ; for a *Mahumetan Musfi*, even according to their own rules, bad as they are, ought to be as much my *Judge* as they should have been ; after my Appeal from them was lodged in a superior Court, unless the same had been remitted back to them, which neither was, nor can be pretended ; yea, and after I had given them in Answers, containing a declinature upon this very Account, yet they proceeded to examine Witnesses, and pass Sentence. The Foundation being thus faulty, the whole Fabrick must in consequence fall to the ground.

4thly, They obliged me to three Months attendance upon them, before I could get the pretended Libels ; for they first gave me one, and a Month after another, but both un-
sub-

subscribed, and then they assigned me two Months to answer them; which I offer'd to do in two days, but that was not accepted. Nevertheless, they have the confidence to alledge in their Sentence, that it was a high Aggravation of my Crime, to give them a Declinature, after I promised to give Answers, strange Metaphisicks, as if Answers and a Declinature, were Inconsistent things, or that I could decline them as Judges, before I considered what were the grounds upon which I was cited to appear before them.

5thly, They refused to give me a List of the Witnesses Names, and Designations who were to be led against me, that I might object against them, a Privilege allowed by Law and Custom immemorial to all Persons accused of Crimes; which plainly betrayed their own Opinion of the Witnesses Insufficiency. Yet I had no sooner left them, than with all expedition they examined their Witnesses, some of whom, had I been present to have given in my Objections against, they could not without the most flagrant injustice have admitted them; and tho' they examined all such, with whom they understood I was in the least acquainted, or with whom I commonly Converſed; yet they could not get one to depose any thing to my

disadvantage, but rather highly to my Exoneration, and Vindication, except these few I am here to give you sufficient Objections against; and it is observable that amongst them, there are not two concurring Witnesses proving any one pretended Misbehavior in me.

6thly, As I upon the justest grounds declined the Committee as Incompetent Judges, so they declined themselves, in regard they did not cite me *apud acta*, or otherwise, after I gave them in my Declinature to hear and see probation led; for tho' I declined them, yet if I had been cited, and did not appear in it was my own fault, but since I was not cited, no examination of Witnesses, can be good in my absence.

7thly, Contrary to all our Laws they examined the Witnesses *de super inquirendis*, as thus, *did you ever see or hear that Mr. Dugud did any ill Action*, as is plain from the Depositions of *Baillie Thaulan*, and *Christian Baillie*, which shall be taken notice of in their proper places. I have been credibly informed, that the Committee drew up Copies of what the Deponent was to Swear, previously to the taking of his Oath; and it is certain, they sought no better evidence of my Guilt, than if any would swear they believed me in
their

their Consciences to be Guilty of any of these things, with which they charged me, tho' they were neither Eye nor Ear Witnesses of them. They writ down also what they pleased, and did not keep by the Deponent's own words: For instance, a young Man in *Pitteuchair*, who declared he saw nothing in me but Civility, that I gave him a Sixpence for finding my Horse-whip, which I had drop'd, being asked by a Gentleman why he subscribed a Paper, that he believed I was overtaken with Drink, he replied, " Mr. *Curree* Minister at *Kingglassie* had brought him, and " oblig'd him to subscribe that Paper; but " he did not think there was any thing in it " against me, which shews he had not read " it nor knew what was in it.

Not only was their Method of Procedure against me, contrary to all Law, as I have already shewn, but the pretended Witnesses, who have deposed any thing to my disadvantage, are either my declared Enemies, or under some other legal Incapacity.

Baille Thaulan should never have been admitted a Witness in regard 1st, he threatn'd to do me a Mischief, which is well known in the Parish of *Bruntisland*, and which I can prove by famous Witnesses. 2^{dly}, He was, and still is, under process of *Scandal* at my instance

instance before the *Commissaries* of *St. Andrews*, and likewise under another *Process* before the *Regality* of *Dumfermling* for a *Riot* and notorious *Breach* of *Trust*, in breaking open, exposing and burning a Letter directed to me, which he promised to deliver or return safe; and 'tis well known he offered himself to be a Witness uncalled, I shall say no more of him, but that his Disposition stands contradicted, in the Minutes of the Committee, by the Depositions of five or six other honest Men, whom *Baillie Thaulan* owned upon Oath to have been present at the time when he alledged me Guilty.

All I shall say of Mr. *King* at *Anstruther* is, that he is a Member of the *Synod* himself, and so could not reasonably be sustained as a Witness, but this is agreeable to their former Practice in the year 1638, when they Excommunicated the Right Reverend the *Bishops*, and their *Clergy*; the Brethren first came down from the Bench, and made Oath

* *King Charles* against them, and immediately
large Declara- after went to their Seats, and as
tion. Judges Condemned them. *

As for Mr. *Meldrum* Probationer, 'tis well known what finistrous Methods were made use of to get him placed Minister at *Bruntisland*, and for this end I was still loaded with
the

the blackest Characters, both by himself, as standing in the way of his Promotion, and a certain Gentleman his Patron, whose Name I forbear to mention, from the regard I have to some of his near Relations; tho' his Malice and hatred against me hurried him to the vilest and most ungentlemanly Methods of Detraction; insomuch, that in his rage against me, he spared not his nearest Relations.

Mrs. *Maubree* being the Daughter of worthy Parents I shall say little of her, nor of her Character, it being well enough known, but this I cannot forbear to say, that when she was questioned by a Gentleman at *Edinburgh*, what she had to say against me, she replied that she never saw any thing but Discretion and Civility in me, and had nothing to say to my disadvantage; and when she was urged to give this under her Hand, she answered, she durst not do it without acquainting *James Robertson* an Extracter, and Servant to the above mentioned nameless Gentleman; yea, she owned she would Swear any thing *Robertson* desired of her; this she said in presence of a very worthy Gentleman Mr. *Davidson* Tutor to Mr. *Nisbet Younger* of *Dirletoun*. I am not willing to mention some of Mrs. *Naubree's* History, and her concerns with Mr. *Robertson*, which are already

ready too publick; I shall only leave her to God and to her own *Conscience*.

Christian Bailly came over to *Bruntisland*, no doubt with a design to ruin my Credit with all whom she could influence; particularly with Mr. *Dury* of *Grange*, and his Family, to whom she said all the ill things of me her Malice could suggest, tho' at the same time she pretended to my self all the kindness in the World; but after I was informed of her unchristian, and hypocritical Method of defaming me, and that I reasoned the matter with her, she fell into a Passion, called me Names, in the presence of many, and so her pretended Friendship ended in an open Breach.

As for *Robertson* in *Poduckball*, he is well known to be *malæ famæ*, and I have a Process depending against him before the *Commissaries* of *St. Andrew's* for Scandal; but the *Synod*, it seems, rather than fail of having Instruments, to accomplish their malicious Designs, will make use of the most abandoned Wretches for Witnesses, who will compound the Matter, and depose any thing to be free of *Kirk* Censures themselves.

Tho' what I have said already may be esteem'd a sufficient Vindication, yet that I may fully satisfy the World, I shall give particular Answers to every Article of their
pre-

pretended *Libels*, which was the third thing I promised you to perform, and that I hope to the entire Satisfaction of all the unprejudiced part of Mankind. And if either in what I have said already, or what I am further to say, something more of warmth do appear than what an unconcerned stander by, may think proper; I hope the Persecution I have unjustly suffered, and the Wickedness of the People who are brought as Evidences against me, will make my Apology; especially, if it be considered, that there is no other way left me at present to oppose the deluge of their fictitious Scandals, but by shewing those concerned in a truer, tho' uglier light, than I naturally would be inclinable to do.

Answers to the first Libel given me by the Committee of the Synod of Fife 1st of July 1713.

As to the first part of the Libel, wherein it's alledged that in *August 1710*, I danced over a Sword at *Blair of Athol*, and that about the same time I was Drunk at *Dunkell*. I answer, Mr. *Russel* at *Kennay*, and Mr. *Dickson* at *Markins*, by order of the *Presbytery* of *Kirkcaldy* inquired at Mr. *Hay* of *Naughteen*, and an other Gentleman, who were said
to

to know that Affair, they both declared to them that I was two Nights in their Company, at the time when the alledged Misbehaviour should have happened, and that they neither saw, nor knew any thing of my being Drunk; this the extracted *Records* of the *Presbytery* dated the 1st of *September* 1712 do more fully bear. At that time I was in the Marquess of *Lothian's* Family, and accompanied the Lord *Jedburgh's* eldest Son to the said noble Marquess to *Blair of Athol*, and in vindication of my Behaviour all the time I was in the said Family, I have an ample Testimonial in *November* 1710, under the Marquess's own Hand, bearing that I had behaved my self well and agreeably to my Character, without any Offence, while in his Family, to the Satisfaction of them all. And since the Lord *Jedburgh* was at *Blair of Athol*, and *Dunkell* at the same time with me, I have a full Vindication under his Lordship's Hand, in a Letter to *Peter Dugud* my Father, dated *May* 9th 1711. This I think does sufficiently clear me from the Scandal of *Drunkenness*, which is always one Article in every Libel raised by *Synods* and *Presbyteries*, against all whom they have a mind to oppress; and therefore I do, here once for all, solemnly protest, that I am Innocent of that Sin,

Sin, and am willing to put my Reputation upon the issue of it's being proved by reputable Witnesses against me.

As to the 3d Article, asserting that upon the 22d of *March* 1710, the day I was entered on my Trials, before the *Presbytery* of *Kirkcaldy*, I was Drunk in the House of *Bailly John Greeg* in *Linktoun* of *Abbotshall*; I answer that I am sufficiently vindicated, from this most false Aspersion, by a Letter, Number 2d in the Appendix, under *John Greeg's* own Hand, subscribed both by himself and his Wife; and whereas the only presumption alledged for the truth of this Article is taken from *Mr. King* and *Mr. Meldrum's* Depositions; namely, that when they came into my Room in the Morning, they found my Chamber Floor wet, upon which they put a very ugly Construction: I have already given you sufficient Reasons against their being admitted as Witnesses, and as the Story is wholly Calumnious, yet grant it were True, it could infer no Presumption, much less Probation of Drunkenness; seeing 'tis well known to all those with whom I conversed, that in the Year 1710, I had contracted a very ill Habit of Body, by too sedentary a Life, so that my Stomach was intirely out of order, which obliged me to go to
Maflat

Maflet Wells for my recovery from that Indisposition, by the advice of Sir *Edward Isaack*, who with Dr. *Hume* were my Physicians by turns, and who can attest the Circumstances, my Indisposition had then brought me into, and to God's Blessing upon their Prescriptions I owe my Recovery. I further appeal to Mr. *Elliot* my Apothecary for the truth of this, and to Mr. *Grierson* who saw me at the Wells, and even to Mr. *Webster* himself, let them speak as they shall answer to God, and I shall stand to their award.

As to the 3d Article, alledging that upon the 24 of *May* 1713, I was seen Drunk at *Pitteuchar* and *Podduckball*; I answer that there is no manner of Presumption for this, but the pretended belief of a Boy, who was impos'd upon by the Committee to subscribe contrary to what he had declared to Mr. *Moyas* of *Pitteuchar*, who inquired concerning the Truth of that Report; but I have taken notice of this already.

As to the 4th Article, asserting me to have been Drunk, while attending the Synod at *Dumfermling* in *April* 1713, and to have called the Synod Rascals and Villains, to this I oppose the Declaration Numb. 3 in the Appendix, under the Hands of *Alexander Burnett*, Dean of Guild of *Bruntisland*, *John Dury*

of *Grange*, *John Cowan* Elder, present Con-
vener, and *Mr. James Guthrie* School-master
of *Bruntisland*, who were constantly Night
and Day in my Company, while at *Dumferm-*
ling the said time, will sufficiently vindicate
my Innocency, and shews how much a Spi-
rit of Calumny and Detraction rages among
my Accusers.

As to the 5th Article, that during my at-
tending the said *Synad*, seeing a young Man
there in the Church Yard, who was walking
in a very grave and sedate way, I should have
said in a Scoffing manner, he is thinking God-
liness is great gain; I answer, I remember
nothing of it, but tho' I had said so much,
'tis a most unjust and uncharitable way of
judging my Thoughts, to make a bad Inter-
pretation of my Words, since they are capable
of a fair and good Construction; viz. that
the young Man was thinking on the excel-
lencies and advantages of Religion and God-
liness.

As to the 6th Article, that I was guilty of
Lying and Prevaricating, in that I having
got a Bill from *Mr. Russel* upon *Charles Hay*,
Factor to the Earl of *Leven*, for a small Sum
of Mony, I promised never to return upon
Mr. Russel for payment, and yet afterwards
Prosecuted him. I answer, all I promised

was not to return upon Mr. *Russel*, if by any means I could procure my Money from Mr. *Hay*, which Mr. *Russel* made me firmly hope I could; but Mr. *Hay* refusing to accept the Bill, my Trustee returned the Bill on Mr. *Russel*, according to my Order, but afterwards Prosecuted him without any particular Order from me, and before he had acquainted me therewith, or that I knew so much as that the Bill was returned; It is very improbable I would have absolutely promised not to have recurred upon Mr. *Russel* for payment of a just Debt, which none deny this to have been, and these my Accusers are not often guilty of discharging Debts that are justly due to them.

As to the 7th and last Article, that I owned *Presbyterian Government* when I was licensed, and promised obedience to their *Kirk Fudicatories*, and yet notwithstanding had Preached in *Bruntisland*, after the *Assembly* declar'd my Licence void; I answer, that ever I owned *Presbyterian Government*, or promised Obedience to their *Fudicatories*, I must acknowledg to have been owing to my Youth and Ignorance, for then I had not considered, nor did I understand the nature of their *Government* throughly; and if I have disobeyed them they are themselves to blame.

blame, since they taught me the Principle of *Resistance* in opposition to *Passive Obedience*: But I find they understand this only with respect to *Prelacy* and *Kingly Government*, but they expect we are to pay an unlimited, implicate, and intire Submission to the arbitrary Decisions, and the most exceptionable decrees of *Presbyteries*, *Synods*, and *General Assemblies*, to resist whom is with them a Crime of the deepest Dye; however, this I must own, that their oppression of me has been the Instrument, the Almighty God hath thought fit to make use of to set me a thinking, and it made me inquire into their *Principles* more carefully than I had formerly done, the result of which by the blessing of God is, that I now detest their *Principles* as having no Foundation in the Holy Scriptures, nor in *Primitive Christianity*, that I now design not to give over my Inquiry till I be fully satisfied of the *Doctrine*, *Discipline*, *Worship* and *Government* of the *Primitive Church* within the *Era* of the *Charismata*, of which I doubt not to find the *Church of England* to be the most perfect Copy now extant upon Earth.

*Answers to the 2d Pretended Libel given
me by the Committee of the Synod of
Fife.*

As to the 1st Article, wherein it's alledg'd that in the Spring 1710, I lodged in the House of Mrs. *Maubree*, Widow of Mr. *Maubree*, Merchant in *Edinburgh*, in Company with Mr. *Andrew Baxter*, Tutor to Mr. *Ker* of *Kevers* his Sons, and that then and there I was Drunk, and behaved my self immodestly and undecently to Mrs. *Maubree*, &c. The Synod themselves do not pretend that this Article hath the least shadow of Probation, the same depending on the single Testimony of Mrs. *Maubree*, against whom I have said enough in the Objections against the Witnesses, to render her Declaration of no Credit, but that I may set my Innocency in this matter in a true Light; please to read a Letter Num. 4th in the Appendix written by the foresaid Mr. *Baxter*, who is a Gentleman of intire Credit, and who was present with me in Mrs. *Maubree's* House at the time, which will sufficiently clear me.

As to the 2d Article, that in Sept. 1710, I having lodged all Night in the House of Mrs. *Mason* in *Leith*, I was Drunk, and then and there was guilty of several Indecencies, which their Libel does more fully bear, and which

which in good manners to the Reader I think my self obliged not to mention in their Words; and to support this, they pretend that Mrs. *Mason* hath deposed, that about three Years ago I lodged in her House a Night, and that then she thought me Drunk, and her servant Maid deposed, that I broke a Tobacco Pipe and threw the pieces of it through the Room, to which I answer several Gentlemen of consideration will vouch for me, first that she was Solicited by Mr. *Clegborn* at the *Weems*, Mr. *Ponton* at the Meeting-house of *Kingborn*, and Mr. *Shaw* at *Leith* to Swear against me, and she has owned to these Gentlemen, that they importuned her daily, and likewise acknowledged to them, that I never did behave my self Indecently to her or her Maid, or was Drunk in her House; but as for the Maids Story of the Tobacco Pipe, tho' I do not remember it, yet I surrender it to them, and I must own that this is the first time in my Life, that I knew the breaking of a Tobacco Pipe into any number of pieces, was able to disqualify a Man from being a Minister of the Gospel, according to the Model of *Geneva*; I wish they were thus strict in things of greater consequence, but there are some People who strain at Gnats and swallow Camels.

To the 3d Article, that in *April 1713*, in *Mr. Dury of Grang's House* in *Bruntisland* Parish, I maintain'd in a debate against *Mr. Campbell* Minister at *Weem*, that it was lawful to take Money from the Devil, and that *Christian Bailly* has deposed accordingly. I answer, that an account of matter of Fact will clear this affair to best purpose, the Company were telling very strange and wonderful Stories of *Ghosts* and *Demons*, and when it came to my turn, I told I had heard of a Gentleman in great straits to whom the Devil appeared as a grave old Man, offering him a Sum of Money, when the Gentleman saw the Money he said I believe you are the Devil, and I know no right you have to Money, since the Earth is the Lords and the fulness thereof; get you behind me Satan, the Seed of the Woman shall bruise the Head of the Serpent, I will keep this Money for him who shall be found to have a better right to it; *Mr. Campbell* quarrelled with this Gentleman's Conduct; I said that if the Story was true, what he did was in a state of War against the Devil, and evidenced a hearty Courage as well as strong Faith, which was the Sum of what passed on that Subject betwixt us, which all the Company, and even *Mr. Campbell* himself can witness.

As to the 4th Article, that in *May 1712*, I was guilty of Lying and Prevaricating, having said before the *Committee for Bills of the General Assembly*, that the time I was at *Blair of Athol*, was before I was on my *Tryals*, or a *Licenciate to Preach*; whereas it fell out in *August* thereafter, I answer, I said only before the *Committee*, that I was at *Blair of Athol* before I had *Preach'd* in Publick, or had got an *Extract* of my *Licence* from the *Presbytery of Kirkcaldy*, all which is most true, as the *Date* of the first *Extract* of my *License* lying in the hands of *Nicholas Spence*, under *Clark* to the *Assembly*, will bear Witness. 'Tis likewise alledged, that I Lyed in saying before the *Synod of Fife*, that in *Competition* of a popular *Call* betwixt me and *Mr. Aresken*, all in the *Parish of Bruntisland* were for me except 7 or 8, whereas the *Presbytery of Kirkcaldy* found 15 for *Mr. Areskin*; I answer, I affirmed that all the *reciding Parishioners* were for me, except 7 or 8 which was most *True* at that time; the 15 for *Mr. Areskin* having been made up by *Proxies* from such as lived without the *Parish*, one of which, was *Mr. Megill* *Presbyterian Preacher* at *Kinross*, and another, *Mr. Lesly* of *Quarter* a *Boy* of about 10 *Years of Age*; would not any *Body* from

hence conclude, that these my Enemies had a mighty Aversion to Lying? And yet, I think it will appear before I have done, that they make no Bonds of either Lying or Detraction, so that they can thereby advance their *Good Old Cause*.

As to the 5th Article, asserting that I Swore in the Bowling Green belonging to *George Condee* in *Linktoun*, in Company with Capt. *James Jaffray* and *James Brabner* Merchants in *Kirkcaldy*; I answer, as none who knew me, will ever believe me guilty of this abominable Sin, so the falshood of this Report will appear by what the aforesaid Gentlemen declared to *Bailly Burnet*, and Mr. *Seaton* Merchants in *Bruntisland*, to whom they solemnly protested, that the same was wholly Calumnious, neither does the *Synod* pretend that it is proved.

As to the 6th and last Article, that I should have drank in the aforesaid *Bailly John Greeg* in *Linktoun's* House, in Company with Mr. *Boswell* of *Glasemont* and others, till one of the Clock on a Sunday Morning; I answer, the falshood of this, will clearly appear from the Letter Numb. 2. in the Appendix, Subscribed by the said *John Greeg* and his Wife, as also by a Letter; Numb. 5. in the Appendix, written by
the

the said Mr. *Boswell* of *Glasemont*, declaring the said Report to be nothing but a Calumny and notorious Lye, neither does the *Synod* pretend there is the least shadow of Proof of it. I must crave leave, to take Notice of the aforesaid *Baillie Thaulan* and *Christian Baillie* their Depositions *de super Inquirendis*, I have given sufficient Reasons already, why none of them should be admitted Witnesses: But to convince the World of my Innocency, and the ill consequences of Envy, as being an inlet to the blackest Crimes, I shall only say, that *George Wilson* Baker in *Edinburgh*, his Wife, and Servant Maid solemnly declared to Mr. *Mackenzie* of *Rosend*, and *Baillie Anderton* in *Bruntisland*, that I was never in Company with *Baillie Thaulan*, in their House, but one half Hour, about Nine a Clock in the Morning, tho' the said *Thaulan* affirms, I was in the said *George Wilsons* House with him till 11 or 12 a Clock at Night. As for *Christian Baillie*, who alledges that I said there was little need of a *Hell* hereafter, seeing they who Suffer here Suffer enough; if she had represented fairly what I said on that Subject, there would have been no occasion for the Objection.

Now you see, I have answered every particular

ticular of their Calumnious, and Tedious
 Libels, I hope to your, and every unbyass'd
 Persons Satisfaction; but it is plain that no
 Man's Reputation is safe, nor can the best of
 Men escape, where the Accusers are both
 Judges and Witnesses, and I am convinced,
 if there were such another *Inquisition* to sit,
 and examine the Life of St. Paul, were he
 on Earth, his Innocency could not Skreen
 him from their *Reproaches*; but what if the
 very Reverend, very Pious, Humble, and
 self-denied and *very very* Learned Mr. Pit-
 cairn at Dysart, should be obliged to answer
 all the Calumnies his Brethren, and others,
 have suggested against him, I am afraid, he
 would be obliged to Print his, long since
 promised, and wished for, *Commentaries* on
 the *Confession of Faith*, for his Vindication.
 Tho' the *Synod* caused to be Read, their un-
 just and unsubscribed Libels from their
 Pulpits, as Raw Head and Bloody Bones
 were Invented to fright Children, yet they
 do not pretend any thing to be Proved, but
 two or three alledg'd Indecencies, and these,
 for the most part, about 4 Years ago, and as
 they are False in Fact, nor at all proved by
 reputable Witnesses, as I have already made
 Evident, so tho' they had been True, they
 could never have supported any Sentence
 against

against me. But Hear-say is Probation enough with them, as is clear, from several Passages of their Sentence, and if I was as much inclined to believe current Scandalous Reports, of several of these great Presbyterian Dons, as many of them has been Industrious to hatch and promote Scandals of me, I could without Forgery tell, that the Grave Mr. *Pitcairn* at *Dysart*, sat up till 5 a Clock in the Morning, in Company with some Gentlemen in *William Murray's* House in *Kirkcaldy*, Drinking good Wine, till these Gentlemen owned themselves Elevated. I could tell the Godly Mr. *Webster*, that he is guilty of habitual Tippling and Gluttony. I could tell the Modest Mr. *Ponton*, that a Maid saw him supplying the Vise of a Husband, to a certain Lady in *Baillie Ferquison's* House at *Kirkcaldy*. I could tell the Whining Mr. *Drysdal*, that he committed the filthy Fact of *Fornication*, at a certain time, or times, at *Edinburgh*, but I shall be very far from saying any of these things are true, tho' I have common Fame to bear me out, if I did, and am willing to take my Oath, that I am none of the contriver of these Scandals; all I desire of them is, that they'll purge themselves as freely from being accessory to the Scandals that have been raised on me,

as I am willing to disbelieve all these Stories of them, until they be fully proved. Their Reason, for raising all these Scandals on me is, at bottom no more than this, to Ruin my Reputation with the People, that so I may, the more easily, fall a Sacrifice to their resentment, for accepting of her *Majesty's Presentation* according to Law; this is my unpardonable Crime, and is a sign of their being dutiful Subjects, and observant of our Laws, protesting against their *Assembly*, tho' by an Appeal to the House of Lords, is what no true Blue *Presbyterian* can possibly Digest, for they are the Monopolizers of all the Power which they can by any Means attain to, at least, *in ordine ad Spiritualia*, which if it is not *Popery* and *Jesuitism*, I am at a loss to think what it is; their Establishment was founded upon the Inclinations of the People, they have no Authority in Law, but what they have received from a *Parliament*, they refused to have the *Jure divinitatis* of their *Constitutions*, declared by a *Parliament*, they have in Vain attempted to prove it from the Holy *Scriptures*, they have always disclaim'd the *Fathers*, when they are uppermost; they are against all *Toleration*, when they are at under, they are for Tolerating even *Popery*, rather than not be Tolerated

Tolerated themselves, they Preach up the *Covenant*, which continues Abbrogated by Law; let the World then judge what *Christians*, what *Subjects* these Men are, with whom I have to do, so much as to the Publick; again, in their private Capacities, they are the worst *Neighbours*, the worst *Masters*, the worst *Servants*, the least *Charitable*, the most *Ambitious* and *Covetous* of any set of People that I do know. I bid them Defiance to disprove any one Article of all this Charge, to which, I could add very much more of my own certain knowledge, were it proper for one in my present Circumstances to do it, but all in good time.

The sum of this troublesome Story is this, I had the Honour of a *Presentation*, to the Church of *Bruntisland*, from the QUEEN, and I being the first, after *Patronages* were *Restored*, who was named by her Majesty, nothing must be left undone by the *Presbyterians*, who rail against *Patronages*, as *Unlawful* and *Anti-Christian*, to render this *Presentation* ineffectual; for should I be admitted, their beloved common Practice of putting their furious *Zealots* into the Possession of *Living*s, with the Call and Concurrence of a few of the *meanest* Inhabitants of the *Parishes*, in direct Opposition to *Patrons*,

trons, Heretors, and the Body of the People would be defeated, and her Majesty's undoubted Right of Patronage preserv'd, and become beneficial to her Loyal Subjects. These Reasons were of weight enough, with the thorough pac'd-Brethren, to exert themselves against me, as they have done; for by ruining of me, they would have one *Precedent*, which might frighten all other *Candidates* for *Benefices*, for the Future, from accepting any *Presentation* from the CROWN, and by consequence these *Living*s must be dispos'd of by themselves, to the *Hottest Heads* in their way, that they can find; for after Six Months, the Right of *Presenting* devolves to themselves. What *Incendiaries* have flourish'd among them since the Year of our Lord 1638, and how, by their most *Seditious* and *Rebellious Doctrines*, they involved three *Nations* in *Blood* and *Destruction*, not sparing even that of the best of *KINGS*, the *Anointed* of the Lord is too *Notorious* and recent to be deny'd, too *Tragical* to be narrated. The *Jesuits*, the most detestable set of Men among the *Papists*, are but Fools to them, for *Treasonable Principles* and *Practices*. What their present doings are on the other side of *Tweed* can be no secret

secret here, but to such as are either willfully Blind, or wretchedly Indifferent.

To cover themselves in their Attack, upon the QUEEN's Right of *Presentation*, they leave no Stone unturn'd to have me loaded with Scandals, and rather than fail, they themselves descend to the mean Arts of *Slandering* me, after they had fully approv'd both of my *Conversation*, and *Capacity*, by *Certificates* under their own Hands. And they are now become a *Party*, and do sustain themselves *Judges*, so then what Justice could I expect? They must indeed be own'd to be the most unaccountable *Judges* in the whole *World*! But it is not to be thought that the Wisdom of this Great Nation will bear with such a Court of INQUISITION, or leave the Subjects without Remedy against their Oppressions. There is a *Quare Impedit*, upon the *Bishops*, when they refuse a *Presentee*, and shall Scotland be under the Arbitrary Power of *Presbytery*, &c. Shall they still be suffered to *Tyrannize*, and Exercise a Power which is not allow'd to any other Society within the Dominions of Great Britain, nor in any of the Reformed Churches abroad? If so, let the State look to it self; for it is not the first time, the *Covenanters*, for such they own themselves to be, have encroached upon

upon the *Civil Government*, in *ordine ad Spiritualia*, with a Witness, particularly in the Days of the *Solemn League and Covenant* !

I have made some *Reprisals* on the *Presbytery*, for there are *Processes* of *Scandal* against Seven or Eight of these Teachers, rais'd at my Instance, before the *Commissaries* of St. *Andrews*. But they, to avoid the Consequences of a fair Tryal, which might have been their Shame and Confusion, have prudently declined the *Authority* and *Jurisdiction* of that Court ; for why should such Saints be accountable to Earthly *Judges* ? Must these Spy out their Liberty ? Is not Dominion founded in Grace ? God sees no Sin in his Elect, and all of them are of that Number ; for the Belief of their personal Election, from all Eternity, is the first *Article* of their *Creed*. They are as much in GOD's Favour when they commit *Adultery* or *Murder*, having the Seed of Grace within them, and *Recumbancy* or *Reliance* upon *Christ*, as those who work out their *Salvation with Fear and Trembling*, and in that poor humble way, make their *Calling and Election sure*. They have *Judicatories* of their own, and who dare presume to hinder them from being their own *Judges* ?

But

But when the *Commissaries* had not the Complacence to decline the *Jurisdiction* of their own *Court*, it became necessary for them utterly to disable the *Prosecutor* from insisting against them, for the Crimes wherewith he had charged them. And therefore effectual Methods, no matter how *Unchristian* and *Immoral* they be, must be taken to put it out of my Power to *Prosecute* them. Pursuant thereto, a *Criminal Libel* is brought against me for *Intrusion*; I am *Imprison'd* and *Fined*, and forced to pay their *Expences* and *Dammages* for *Prosecuting* me: The *Kirk* must be at no Charges, tho' in the former *Administration*, the then *Ministry* (their good Friends) prevail'd upon her Majesty's good Nature, to allow them a considerable yearly *Sallary*, to defray the *Expences* of their *legal Prosecutions*; this must affect the *Purses* of such as fall under their *Displeasure*; for they will not part with a *Groat* of their own. Then I am expressly forbidden to *Preach* any more in the *Church* of *Bruntisland*, until I should, by them, be legally admitted thereto. The plain meaning of which is, until I should humbly beg their Pardon for accepting her Majesty's *Presentation*, and do *Penance* for protesting against their *Assembly*, and declare *Patronages* unlawful, and disclaim

all *Presentations* and *Calls*, save a *Popular* one. These Storms beating hard upon me, obliged me to retire and look for some Shelter, from their Malice, at *London*. But Sir, as you tell me, they still go on, and Libel me from their *Pulpits*, for their Malice knows no Bounds.

Sir, that all this Persecution is for no Crime, or legal Fault in me, GOD and themselves do know. For how should one, who was once, and again, fully approv'd of by themselves, as a *Preacher* and *Candidate* for a *Parish Minister*, be refus'd and Persecuted by the same *Persons* and *Judicatories*. Let any indifferent Person, judge if there can be any thing at the bottom, but the *Presentation*, when in place of their full *Testimonials* given me *Judicially*, and with all the *Authority* they have; I am thus *Prosecuted*, *Loaded* with *Scandal*, and *threatn'd* with their *Excommunication*, and all the temporal *Punishments*, which to the full extent of their Application, Interest and Influence they can procure, either by colour of *Law*, or otherwise to be inflicted upon me; unless I as entirely resign my self to them, as ever an *implicite Papist* did to his *Priest*. Mr. *Nairn's* Letter, Numb. 6. in the Appendix, shews you how he, tho' my old Friend,

is forc'd to oppress me by his *Innuendoes*, and every Body knows how, even the modestest Men amongst them are driven by furious *Ring-leaders* into all their *Methods* of *Defamation* and *Oppression*, Vices which are inseparable from *Presbytery*, and without which it can never Subsist; malicious unsubscribed Letters are sent by them, to undermine *Peoples Characters*. * They are

D 2

against

* 'Tis well known, that when Mr. Hamilton was chosen Professor of Divinity in the College of Edinburgh, Mr. Webster in the Tolbooth Church, in whose good Graces, I had then the Misfortune to be, used all possible means to get into the Chair, amongst others, he employed me to make all the Interest I could, for his Promotion, with Sir Patrick Johnson, then Provost of Edinburgh, in whose Family I was at the time, and for this end he Wrote me Letters from Maflat Wells; which, after his disappointment, I was obliged to Burn before Mr. Mitchell, Probationer now at Fetterreslaw, who was sent to me by Mr. Webster, threatening my speedy Ruin, if I did not immediately deliver them up or destroy them; and to shew that the greatest Pretenders to Godliness amongst them, stick at no Means, tho' never so Wicked, to carry on their Designs; Mr. Webster employed one Hall, as a tool to Write, and spread abroad, unsubscribed Scandalous Letters against Mr. Hamilton, in the Names of all the Students of Divinity in, and about, Edinburgh; which afterwards came to light: I, in Conjunction with many other Students of Divinity, disclaimed these Calumnious Letters, by subscribing a Paper of our just abhorrence of such indirect Methods, which we gave in to the Presbytery of Edinburgh; I little imagin'd that Mr. Webster was concerned with these Letters, or would be offended for so just and necessary a Vindication of my self, from the blackest of Crimes, namely, Calumny and Detraction; but the first time I met

against the reading the *Primitive Fathers*; for these Holy Men Preach'd and Practis'd the *Doctrine* of the *Cross*, and with exemplary *Patience*, suffer'd *Martyrdom* for the *Testimony* of *Jesus*. But our modern *Gospelers*, Preach up the necessity of *Resisting the Powers which are ordain'd of God*, and never fail to do their utmost, not only in despising *Dominions*, and speaking evil of *Dignities*, after the example of the *Gnosticks*, but even in *Involving Nations in Blood and Destruction*, therewith to Plant and Water *Presbytery*, another Reason for their running down the *Fathers* is (as I have reason to believe from

him after that, was in the Royal Coffee-house, where he immediately cryed out, that he, or I, should leave the Room, and called me Names in the presence of a great Company; and the Reason he assign'd was, because I had joyned with the rest of the Students in renouncing these Scandalous Libels, and ever since, I have been the But of his Malice and Revenge, as Witness, the Calumnious Unsubscribed Letter he sent to Mr. Ponton at Kinghorn against me, which was so industriously handed about through the Parish of Bruntisland, by one Bonar in Binend, one of their pitiful Hawkers, for retailing of Scandal. Mr. Hall having at length incurred Mr. Webster's Displeasure, when he applyed to the Presbytery of Edinburgh, for their Certificate and Testimonial, Mr. Webster was so inconsiderate as to object against him, that he had wrote the unsubscribed Letters against the Professor, Hall replyed it was true, but if he wrote them, Mr. Webster Dictated them; this so confounded Mr. Webster, being conscious of his own Guilt, that he offered nothing in his own Defence, so the Presbytery referred the Matter to a Committee, who to hush up all, and to save Mr. Webster's Reputation, gave Hall a Testificate.

from the *Testimony* of those who made it their Business for many Years, and with much Care and Application to read the *Fathers*, and in whose Veracity I have good reason to confide.) Another Reason I say is, because nothing, that makes for their new Model of *Church Government*, is to be found in the *Fathers*, because they are so many Witnesses for the *Antient Apostolical Church Government by Bishops*. They make no difficulty to commend the most Barbarous Murder of the late *Arch-Bishop* of *St. Andrews*, comparing his Murderers to *Phineas*, and other extraordinary Persons mention'd in the *Old Testament*: They rank Episcopal People with the *Amorites*, and the *Nations* whom God hath devoted to Destruction, *when the Measure of their Iniquities was filled up*. I dare appeal to the Famous *Mr. Webster's* particular knowledge, for the Truth of these things, which, were I Malicious, I should wish him to deny. Let him tell his Knowledge, whether or not my owning, in Conversation, my Abhorrence of the *great Rebellion*, and the unparalleled *Parricide*, perpetrated on the *Royal Martyr King Charles I.* of ever blessed Memory, were not the chief Causes of their Averſion to me. After which it may seem

Impertinent to name my *Parents* being *Loyal* and *Episcopal*, for they are Fonder of *Original Sin*, than to admit of any Person who is not *extraduce* a *Covenanter*.

Sir, I beg Pardon for being so tedious, I know you was satisfied of my *Innocence* without this *Vindication*, and wanted this, meerly to stop the Mouths of some, and to give a just satisfaction to others. And I can assure you, I have said nothing but what I can Prove by Authentick Documents and reputable Witnesses. All I add is, that the utmost they can do against me shall, GOD willing, never put me so far upon Resentment, as not to Pray that GOD may forgive them, and may he vouchsafe them a truly Christian Temper. I ever am,

Sir,

11 AP 66

Your most Obedient,

and most Humble Servant

London, April
2d 1714.

Will. Dugud.

An APPENDIX.

Numb. 1. *A Letter, Mr. David Pitcairn in
Dyfart, Directed to Mr. Mackenzie of
Rosend. Kirkcaldy, April 23, 1712.*

S I R,

II AP 66

I'M truly concerned that some of your Friends in *Bruntisland* should testify so much Humor in pushing that Settlement, considering the whole of this Affair, which I submit to your thought. The Presbytery endeavoured to please Friends in yeilding Points not so ordinary, yet after all, we are egregiously maltreated by those Reasons, while manifest untruths are asserted; yea, the ground of our declining Answers to the Synod, was tenderness of exposing Affairs, but now we shall be obliged to act more plain, which we are loath to do. And Sir, this will bring Mr. *Dugud* inevitably upon a Lock, while the reason of Shifting that matter was truly to save his Reputation. I incline not to be more special, unless I had access to Discourse your self or Friends there, and depend upon it, this is no Bug-bear. I make a Jest of idle Stories from *Edinburgh*, or Tittle Tattle among Party People, it's a
D 4 Matter

A P P E N D I X.

Matter of Import, which may soon Vindicate our Conduct, tho' to the Ruin of that poor Young Gentleman; this is what always I could not think of, and therefore endeavour'd to have the Business drop'd,

If you, or any other Gentleman concern'd, please to let me know when, and where I shall meet, there shall be plainness of Speech, I was at pains to suppress idle things at the Synod. Manage this according to Honour and Discretion, communicate the same to your Friends; the best expedient I know for preventing all, were to write to the Moderator, and take up these Reasons. Go as it will we are upon Guard, and design to answer that Paper as it deserves. I expect your return, and do remain, Sir,

Your most Obedient Servant.
David Pitcairn.

Numb. 2. A Letter from Bailly John Greeg and his Wife, to Mr. Dugud.

S I R,

I Am inform'd that a Committee of the Synod of *Fife* have Propogated a malicious Libel against you, in which they assert, that when you entered upon your Tryals before

A P P E N D I X.

before the Presbytery of *Kirkcaldy*, on the very Night they prescrib'd to you a Text for Homily, which was 22 day of *March*, 1710, you was very Drunk in my House, which Assertion, I and my whole Family declare to be absolutely False and Calumnious, and a notorious Lye: For we never saw any thing in you, but Sobriety, and a Conduct becoming any, the most grave Minister of the Gospel. Likewise I'm inform'd the said Committee in their additional pretended Libel Assert, that you was in my House till one of the Clock on a Sabbath Morning, since you was a Preacher, Drinking in Company with Mr. *Boswel* of *Northerglasmont*, Mr. *Weems Younger* of *Pitkennie*, and *William Adams* Mason; which Assertion is a most calumnious Report and notorious Lye, since you was never in my House at any unseasonable Hour, nor ever at any time in company with the above-mentioned Gentlemen; this much my Wife and I thought our selves bound in Honour and Conscience to acquaint you of, begging Pardon for the trouble, we are Sir,

Your most humble Servants

Linktoun of *Abbots-*
hall 2d of Sept. 1713.

John Greeg
Margaret Hamilton

A P P E N D I X.

Numb. 3. Attestations of Bailly Burnet and others, in Favour of Mr. William Dugud, Bruntisland Octob. 5th. 1713.

WE Under-subscribers do hereby, upon Fidelity and Honour, declare, that whereas in a Pretended, Unsubscribed, and most Malicious Libel, given in by a Committee of the Synod of *Fife*, against Mr. *William Dugud* Preacher of the Gospel at *Bruntisland*: It is most falsely and unjustly alledged, that the said Mr. *Dugud*, while in *Dumfermling* attending the Synod of *Fife*, upon some Days of the Month of *April* last was very Drunk, expressing himself undecently, in calling the whole Synod damn'd Rascals and Villains, the which Allegiance, we hereby Testify to be wholly Calumnious, and nothing but a feigned Lye and Untruth; he never having been out of our Company, during his Attendance at the said Synod, and having behaved himself, upon the said Days at *Dumfermling*, agreeable to his Character, as becometh the most Grave Minister or Preacher of the Gospel, in Testimony and Verification whereof, we have Subscribed,

*John Dury, Alex. Burnet,
John Cowan, James Guthrie.*

Numb. 4.

A P P E N D I X.

Numb. 4. *A Letter from Mr. Andrew Baxter, to George Davidson Tutor to Dirleton Nisbet, Sept. 28th 1713.*

I Trembled, at the sight of yours, to think of the danger all good Men are in of loosing, what is dearest to them, their Reputation, as long as there are such desperate Wretches as can Sacrifice their Souls and Consciences to their Interest or Malice. 'Till now I thought the Story of Knights of the Post had been the quaint Invention of humerous and paradoxing Heads; but I see Innocence is no Plea against an abandon'd Conscience and impotent Malice. And the surprized Traveller might as well Expostulate with the Russian that designs to Rob him of his Money or Life. It's dreadful to consider, that reasonable Creatures should turn such daring Miscreants, as to offer to invoke the Eternal Truth to vouch their horrid Lyes and Calumnies! It hath stumbled considering Men to think, that a Thunder-Bolt did not burst on their guilty Heads, and strick them up as Monumental Instances of Divine Vengeance! This hath been an handle to the Atheistically, inclined in all Ages to deny any Government or Providence, in a World where such things past with Impunity;

A P P E N D I X.

nity ; but for me it heightens my Belief of a future Retribution : For the Eternal Truth is Challeng'd, Daréd and Affronted, and the Eternal Truth will avenge.

But I have seldom seen the Devil so far out in his Politicks, the thing so grossly contrived ! No appearance to assist Impudence ! Not the least Circumstance to colour the hellish Aspersión ! Women that are so good Natured, as to suffer themselves to be brought of the Street on such a design, do not use to Screech and Cry for help at the sight of a Man ! That does not tell, and minds me of the Story of *Susanna* and the two Elders. But it is the first part of Divine Judgement, that such Persons are deprived of common Prudence, when they shake hands with Christian Faith. But two Lusty Strong Men were not able to hold the Woman. It looks as if that Miscreant had great Concern for the Womans Reputation, at the same time she is so industrious to ruin that of other People. Well ! If Hell be where Devils are, it is broke loose on Earth, and they are Masquerading it up and down in human Shape. It was certainly very coarsly contrived of Mr. *Dugud* to effect State, and to have one to pimp for him in a strange House among Persons unknown to him, tho' he could not but be

A P P E N D I X.

be known to them. But these People are daily rendring themselves more odious to the discreet part of Mankind: And it will certainly do them little Service to make use of Tools of such abandoned Impudence and unwitty Malice. Every body must see thro' the then Disguise, they should have laid the Plate thicker.

But to be more particular with you in what you say I was concern'd, I here protest solemnly, by the Searcher of Hearts, that I was never Witness to, conscious of, or accomplice in any immodest Action in Mr. *Dugud* at *Edinburgh*, or any other Place. And I have now known him from a School Boy. And as to that Story of the Woman, it is a most malicious and hellish Calumny in the whole Matter of Fact, and every Circumstance. As to what concerns my self, I leave every thing to him to whom Vengeance belongeth. I shall in my next, give a Deduction of what tampering I met with in the North, from that devilish *Crew*, to stand up and accuse an Episcopal Minister, how I was baited with Hopes of seeing my self in a Kirk (as they offered to engage, if I would become their Tool) and how for refusing, I was turned out of my Living (as it's well known in the Place) under pretence of not Subscribing

A P P E N D I X.

bing the Confession of Faith. And in the mean time, shall be enabled to Pray with more seriousness than ever, from Envy, Hatred and Malice, and all Uncharitableness, good Lord deliver us. Sir,

I am your Affectionate
and humbly Servant.

Andrew Baxter.

*Numb. 5. A Letter from Mr. Boswell of
Glasmonth to Mr. Dugud.*

Glasmonth, Aug. 5th. 1713.

S I R,

I AM informed that you are maliciously Scandalized, in a pretended Libel given you by a Committee of the Synod of Fife, wherein among other things they are most injurious in asserting; that since you was a Preacher, you was in the House of Bailly John Greeg in the Linktoun of Abbotshall, Drinking in my Company till one of the Clock on a Sabbath Morning, which Assertion is most Scandalous, Malicious and Notorious Lye, since in my Life I was never with you in that House, nor in any other at unseasonable Hours; and I never knew any thing in your Conversation but Sobriety and Conduct, becoming any one of your Character, and any the most Grave Minister

of

A P P E N D I X.

of the Gospel, thus much in Honour, and having your Acceptance, I thought needful to Advertise you of, and am Sir,

Your most humble Servant.

Andrew Boswell.

Numb. 6. A Letter from Mr. Thomas Nairne at Abbotshall to Mr. Thomas Ruffel at Kenauay.

Linktoun Nov. 24th 1712.

R. and D. B.

I Doubt not but you have heard there is a Presentation from the Queen, in Favours of Mr. *Dugud*, as also that you know there are several Members in our Presbytery, who will do to their Power to oppose his Settlement in that Place. The Presentation is to be before the next Presbytery (which is to meet at *Dysert* on *Thursday* the 24th Currant) also a Paper declaring the consent of the People to his exercising the Work of the Ministry among them; you may see then the necessity of your Attendance, since you have been friendly all a long, tho' I wish to see you on the *Wednesday* proceeding at *Kirkcaldy*, when the Presbytery is to meet for Prayer. His Enemies are resolved to Plead, that the Synod recommended to the Presbyteries, not to settle any by a Presentation till their next meeting, but I conceive this is False; for they only

A P P E N D I X.

only recommended to the Young Men, not to accept of a Presentation without the Advice of their Presbyteries. I think there is no necessity of delaying this Affair, when there is a popular Call, but appoint his Ordination upon this, without any regard to the Presentation, as the Presbytery of St. *Andrews* did in the like Case; Pardon that I call it a like Case, for I hope there can be no exceptions made against his Morals, when he has a Testificate from our Presbytery in common Form. I have likewise Converſed with Mr. *Dugud*, and have observed as always much of Sobriety about him, and in consequence of this, he declared, if he were not perswaded of the Peoples consent, he would not desire to be intruded without it, and so has ground to reckon it a Call from God; I wish ye were but with Mr. *Dall*, and I think the matter would be brought to a desirable Issue. This is all, begging Pardon for this Trouble, from R. and D. B. your much obliged humble Servant.

11 P 66
Thomas Nairne.

F I N I S.